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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/157,998	09/22/1998	RONALD LESSER		3406
7590	02/01/2006		EXAMINER	
J. Mark Holland Professional Law Corporation 3 Civic Plaza, Suite 210 Newport Beach, CA 92660			BLECK, CAROLYN M	
			ART UNIT	PAPER NUMBER
			3626	

DATE MAILED: 02/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/157,998	LESSER, RONALD
	<b>Examiner</b>	<b>Art Unit</b>
	Carolyn M. Bleck	3626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 10 March 2005.
- 2a) This action is FINAL.                  2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 49-93 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 49-93 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____.   |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/24/03</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

## **DETAILED ACTION**

### ***Notice to Applicant***

1. This communication is in response to the Applicant's response to the requirement for information filed on 10 March 2005. Claims 49-93 are pending. Claims 1-48 have been cancelled.

### ***Election/Restrictions***

2. The restriction requirement made in the communication mailed 22 March 2004 has been withdrawn.

### ***Allowable Subject Matter***

3. The indicated allowability of claims 51, 55, 57, 58, 59, and 68 in the Office Action mailed 21 May 2002 is withdrawn in view of the newly discovered reference(s) to Dorne (5,325,293), Kraftson et al. (6,151,581), Letzt et. al. (5,612,869). Rejections based on the newly cited reference(s) follow.

### ***Claim Objections***

4. A series of singular dependent claims is permissible in which a dependent claim refers to a preceding claim which, in turn, refers to another preceding claim.

A claim which depends from a dependent claim should not be separated by any claim which does not also depend from said dependent claim. It should be kept in mind

that a dependent claim may refer to any preceding independent claim. In general, applicant's sequence will not be changed. See MPEP § 608.01(n).

It is respectfully requested that claims, such as claim 77 which depends on claim 49, 57, or 58, follow this format. For example, it is suggested that Applicant recite claim 77 as three separate claims, depending on claims 49, 57, and 58, for purposes of clarity.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 75 and 91-93 constitute a single means by assuming that the electronic means is a single means for performing many functions. A single means claim, i.e., where a means recitation does not appear in combination with another recited element of means, is subject to an undue breadth rejection under 35 U.S.C. 112, first paragraph.

In re Hyatt, 708 F.2d 712, 714-715, 218 USPQ 195, 197 (Fed. Cir. 1983) (A single means claim which covered every conceivable means for achieving the stated purpose was held nonenabling for the scope of the claim because the specification disclosed at most only those means known to the inventor.) This claim covers every conceivable means for displaying, prompting, and/or storing or receiving and determining while the specification discloses only those means known to the inventors. Claims 92-93 incorporate the deficiencies of claim 91.

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 49-74 and 76-90 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

(A) As per claim 49, the Examiner respectfully submits that it is unclear how the information within the prompts of claim 49 affects the structure of the apparatus. For example, claim 49 recites "said prompts being usable in real-time by a physician/user." It is respectfully submitted that the information within the prompts is irrelevant as long as the "electronic means" is able to prompt a user for various information. The Examiner suggests that Applicant actively recite means for performing the limitations recited within claim 49 provided there is support within the specification as originally filed. For example, Applicant could recite a means for guiding a physician during an interaction with a patient and a means for reminding the physician. As the claim is presently recited, it appears that Applicant is simply claiming the benefits of the apparatus or intended uses of the apparatus rather than specific structural elements of the apparatus.

Claim 49 recites "said prompts being usable." The Examiner respectfully submits it is unclear whether the apparatus actually prompts a user or whether the apparatus must simply be capable of prompting a user. Claim 49 recites "physician/user." This language when given the broadest reasonable interpretation requires simply a user to be using the system. If Applicant intends to claim that a physician is using the system,

the Examiner suggests reciting “physician” rather than “physician/user.” Claim 49 recites “points of inquiry” that may be relevant. This appears to be makes this limitation optional to claim 49. Claim 49 recites “rather than said prompts soliciting the physician/user for the medical service code itself.” It is respectfully submitted that such a limitation is tantamount to a negative limitation, which attempts to define the information in terms of what it is not, rather than what it is. As such, the scope of the claim cannot be ascertained. Claim 49 recites “and/or.” The Examiner respectfully submits that this is interpreted as an “or,” and thus, the art is only required to teach one of these limitations.

(B) Claim 51 recites “providing an electronic computer to prompt... said underlying information being independent of the description of said medical services...” It appears that the limitation starting with “said computer prompts” is describing what the hardware (i.e., the electronic computer) is capable of doing. Applicant is not describing any steps of how the computer is being actively used in the method, or even what the steps are that are actively performed in the method. For example, Applicant could recite reminding the user regarding specific points by the computer.

In addition, the analysis discussed above with regards to claim 49 applies to claim 51 also.

Similar analysis is applied to claim 55, and thus claim 55 is rejected for the same reasons.

(C) The dependent claims of claims 49, 51, and 55 incorporate the deficiencies of claims 49, 51, and 55.

(D) Claim 57 recites “said means optionally using at least some...” The phrase “optionally” renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

In addition, the analysis discussed in claim 49 above applies to claim 57, and is incorporated herein.

The dependent claims of claim 57 incorporate the deficiencies of claims 57.

(E) Claim 58 recites “including at least sufficient details.” It is unclear to one of ordinary skill in the art what information including at least sufficient details would comprise. How much information is at least sufficient?

The dependent claims of claim 58 incorporate the deficiencies of claims 58.

(F) Claim 59 recites “said information constituting more than just a conclusory description of the medical services.” It is unclear to one of ordinary skill in the art what exactly information is that is more than just a conclusory description of the medical services. How much information is more than just a conclusory description?

Claim 59 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See

MPEP § 2172.01. Claim 59 recites “payer mandated requirement codes, scores..., algorithm, and resultant code.” These codes, scores, and algorithms do not have any physical structure, and thus it is unclear how they can be elements of an apparatus claim. Thus, the omitted structural cooperative relationships are: the relationships between the codes, scores, and algorithms and the electronic means. How are the codes, scores, and algorithms related the electronic means? Are they embodied on a computer readable medium executable by the electronic means?

The dependent claims of claim 59 incorporate the deficiencies of claims 59.

(G) Claim 68 recites “data forms, codes, algorithm, and resultant code.” Claim 68 also recites “more than just a conclusory description.” The analysis discussed within the rejection of claim 59 applies to claim 68. The dependent claims of claim 68 incorporate the deficiencies of claims 68.

(H) Claim 74 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. Claim 74 recites “medical charts, software configured for..., and resultant code.” The software and resultant code do not have any physical structure, and thus it is unclear how they can be elements of an apparatus claim. Further, the claim omits the structural cooperative relationships between software, medical charts, and resultant code and the electronic means. How is the software, medical charts, and resultant code

related the electronic means? Is the software and resultant embodied on a computer readable medium executable by the electronic means?

Claim 86 depends from claim 74, and thus incorporates the deficiencies of claim 74.

(H) Claim 76, line 8, recites “said billing codes.” “Said billing codes” lacks proper antecedent basis. Further, claim 76 recites “said input device configured to.” It is unclear whether the input device is actually able to gather information is whether the claim simply requires that the input device be capable of gathering information. Claim 76 recites “enabling a user... to submit.” The Examiner respectfully submits that it is unclear whether the method requires a user to print or copy the final score or whether the method only requires that the user be enabled to do so. Also, it is unclear whether the method requires the user “to submit to said government...” This appears to be an intended use of the method.

(I) Claims 88-89 recites “prompting is determined to some degree by previous information recorded.” It is unclear to one of ordinary skill in the art whether the prompting is done by previous information recorded. It appears that the prompting is either done by previous information recorded or not done by previous information recorded. Thus, it is unclear what the term “to some degree” means within claims 88-89.

***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 49 and 88 are rejected under 35 U.S.C. 102(b) as being anticipated by Dorne (5,325,293).

(A) As per claims 49 and 88, Dorne discloses an apparatus for correlating billing codes with medical procedures comprising:

(a) electronic means to repeatedly prompt for various information and record that information (col. 5, lines 5-17), processing means for calculating intermediate values based on said recorded information, and for using said intermediate values to generate said billing code (col. 19, lines 23-36 ).

11. Claims 57-62, 64-68, 69, 72-76, 77, 79, 86-87, 90-91, and 93 are rejected under 35 U.S.C. 102(e) as being anticipated by Kraftson et al. (6,151,581).

(A) As per claims 57, 58, and 87, Kraftson discloses a system and method for collecting

patients data comprising:

- (a) means for prompting an interviewer (physician) to make a series of inquiries, said means optionally using at least some of the preceding responses in calculating further prompting for inquiries to make of a patient (col. 6, line 63 through col . 6, line 18,, col. 9, line 16 through col. 10, line 24,. see table IA and IB in column 12);
- (b) means for recording the patient's responses regarding the prompt inquiry (col. 6, lines col. 12, lines 63-67 and col. 5, lines 19-24); and
- (c) means for calculating the billing code based on the information recorded from the medical interview (col. 10, line 46-54).

(B) As per claims 59, 60, 64, 65, and 91, Kraftson discloses:

- (a) means (handheld device) for prompting the medical practitioner regarding data to be obtained from the patient care and corresponding HCFA billing codes (col. 6, lines 19-25, lines 53-61);
- (b) means for storing (database) said data (col. 7, lines 7-1 1);
- (c) a menu section comprising medical decision making questions (col. 9, line 66 through col. 10, line 13);
- (d) payer mandated requirement ICD-9 codes (Col. 10, lines 46-54); scores based in part on results from responses to said menu sections (col. 15, lines 26-43); and

(e) algorithm for linking and processing said requirement codes with said scores and (f) resultant code based in part on said linked and processed requirement codes and scores (col. 8, lines 9-22).

(C) As per claim 61, Kraftson further discloses collecting the data in real time. It thus inherent in the Kraftson system that a timer be used for timing said data gathering session.

(D) As per claim 62, Kraftson further discloses a software for enabling a user of said apparatus to self-generate questions in any particular order (col. 21, lines 15-24).

(E) As per claims 66-67 and 93, Kraftson comprises means for entering data and/or free text information on forms by an input means of a computer system (col. 14, lines 16-45).

(F) As per claim 68, Kraftson discloses a means for displaying topics of inquiry for use with a patient during a patient encounter (col. 5, lines 12-16), data forms (electronic form) for collecting and storing data from said patient encounter, said data comprising patient responses and user generated text information in part on said patient encounter (col. 18, lines 59 through col. 19, line 41), code (management code) representatives of at least one billing procedure, and documentation requirements (col. 6, lines 36-56),

algorithm for linking, comparing, and computing said collected data with said requirements (col. 7, line 61 through col. 8, line 8), resultant codes based in part on said linked, compared, and computed data (col. 14, lines 6-14), and printing means for gathered information (col. 5, lines 7-22 and col. 19, lines 33-41).

(G) As per claim 69, Kraftson discloses a management a resultant and management code in a claim and for submitting to a payer insurance provider (col. 11, lines 24-35).

(H) As per claim 72, Kraftson discloses Health Care Financing Administration, and insurance codes (col. 10, lines 40-54).

(I) As per claim 73, Kraftson discloses a handheld device (col. 6, lines 19-31).

(J) As per claim 77, Kraftson discloses a system for processing patient clinical information comprising a handheld computer having a touch screen interface (col. 6, lines 19-31).

(K) As per claim 79, Kraftson discloses a scannable form for prompting inquiries (col. 5, lines 1-6).

(L) As per claim 90, Kraftson discloses collecting information pertaining to the clinical care of patients through surveys of the patients (Abstract, col. 4 line 59 to col. 5 line 22, col. 6 lines 19-31).

(M) Claims 74-76 and 86 repeat the limitations of claims 57-60, 64-65, 68, 87, and 91, and are therefore rejected for the same reasons given above in those claims, and incorporated herein.

***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 50-55, 56, 63, 77-78, 80, 85, and 89 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dorne (5,325,293) in view of Kraftson (6,151,581).

(A) As per claims 50, 53, 56, and 77-78, Dorne does not explicitly discloses an electronic means comprising a handheld computer with a touch screen interface.

Kraftson discloses a system for processing patient clinical information comprising a handheld computer having a touch screen interface (col. 6, lines 19-31). At the time the invention was made, it would have been obvious to one of ordinary skill in the art to include the features of Kraftson within the system of Dorne with the motivation of

providing a portable device for use by a patient or physician during a treatment session (Kraftson; col. 6 lines 24-25).

(B) As per claims 51, 52, 55 and 89, Dorne discloses providing an electronic computer to prompt an information gatherer to gather information that is potentially relevant to calculating the billing code, obtaining and recording information (col. 5, lines 5- 17), and electronically calculating a desired billing code from said gathered data (col. 19, lines 23-36), but Dorne does not explicitly disclose repeating said prompting, obtaining, and recording step. Official Notice is taken that it would have been obvious to a person of ordinary skill in the art to repeat these steps for obtaining as much accurate data as possible from a patient, thereby making it easier to complete the information gathering.

(C) As per claim 54, Dorne discloses the step of calculating a billing code calculates an appropriate code from the United States Health Care Financing (col. 1, lines 15-30).

(D) As per claim 63, Kraftson does not explicitly disclose option for noting dictation and for later appending dictated notes with said responses. It would have been obvious to a person of ordinary skill in the art to include option for noting dictation and for later appending dictated notes with said responses into the system of Kraftson for the motivation of backing up of important notes taken by a physician in the case a problem occurs.

(E) As per claim 80, Kraftson further discloses a scanner (col. 5, lines 1-6) for facilitating scannable form for prompting inquiries.

(F) As per claim 85, Dorne discloses an interactive program preferably also has the capability of keeping track of the ICD-9 diagnostic codes most likely associated with the procedures selected by a user (col. 16, lines 9-19).

14. Claims 70-71, 73, 81, 83, and 84 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kraftson et. al. (6,151,581) in view of Letzt et. al (5,612,869).

(A) As per claim 70, Kraftson does not explicitly disclose a timer for tracking total time and patient counseling time during said patient encounter, and an algorithm for computing when said time exceeds fifty percent of said total time. Letzt discloses an electronic health care compliance assistance comprising a timer for tracking total time and patient counseling time including a Health Care Financial Administration billing code (col. 26, lines 12-28). At the time the invention was made, it would have been obvious to one of ordinary skill in the art to include the features of Letzt within the system of Kraftson with the motivation of decreasing the costs to certain therapies, thereby improving compensation from the patient's insurance.

(B) As per claims 71, Kraftson discloses Health Care Financing Administration, and insurance codes (col. 10, lines 40-54).

- (C) As per claim 73, Kraftson discloses a handheld device (col. 6, lines 19-31).
- (D) As per claim 81, Kraftson does not explicitly disclose a billing code based in part on comparing a total patient encounter time and a total patient counseling time. Letzt on the other hand, discloses an electronic health care compliance assistance comprising a timer for tracking total time and patient counseling time including a health care financial administration billing code (col. 26, lines 12-20). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify Kraftson by including a billing code based in part on comparing a total patient encounter time and a total patient counseling time as evidenced by Letzt. The motivation being to decrease the costs to certain therapies given to a patient, thereby improving compensation from the patient's insurance.
- (E) As per claim 83, Kraftson does not explicitly disclose a billing code based in part on comparing a total patient encounter time and a total patient counseling time. Letzt on the other hand, discloses an electronic health care compliance assistance comprising a timer for tracking total time and patient counseling time including a health care financial administration billing code (col. 26, lines 12-20). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify Kraftson by including a billing code based in part on comparing a total patient encounter time and a total patient counseling time as evidenced by Letzt. The motivation being to

decrease the costs to certain therapies given to a patient, thereby improving compensation from the patient's insurance.

(F) As per claim 84, Kraftson does not explicitly disclose a billing code based in part on comparing a total patient encounter time and a total patient counseling time. Letzt on the other hand, discloses an electronic health care compliance assistance comprising a timer for tracking total time and patient counseling time including a health care financial administration billing code (col. 26, lines 12-20). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify Kraftson by including a billing code based in part on comparing a total patient encounter time and a total patient counseling time as evidenced by Letzt. The motivation being to decrease the costs to certain therapies given to a patient, thereby improving compensation from the patient's insurance.

15. Claim 82 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dorne (5,325,293) and Kraftson et. al. (6,151,581) as applied to claims 51 and 55, and further in view of Letzt et. al. (5,612,869).

(A) As per claim 82, Dorne and Kraftson do not explicitly disclose a billing code based in part on comparing a total patient encounter time and a total patient counseling time. Letzt on the other hand, discloses an electronic health care compliance assistance comprising a timer for tracking total time and patient counseling time including a health

care financial administration billing code (col. 26, lines 12-20). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify Dorne and Kraftson by including a billing code based in part on comparing a total patient encounter time and a total patient counseling time as evidenced by Letzt. The motivation being to decrease the costs to certain therapies given to a patient, thereby improving compensation from the patient's insurance.

16. Claim 92 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kraftson et. al. (6,151,581) as applied to claim 91.

(A) As per claim 92, Kraftson does not expressly disclose overriding manually a HCFA billing code. However, the Examiner respectfully submits that it is well known in the medical billing arts that medical billing systems have the functionality of allowing a user to override billing codes. It is well known that there are situations where the billing code do not reflect the services rendered correctly, and thus a person needs the ability to override the HCFA billing code to be reimbursed properly for the services.

### ***Conclusion***

17. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. The cited but not applied prior art teaches electronic medical records system (5,924,074) and a system and method for managing patient medical records (5,772,585).

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carolyn Bleck whose telephone number is (571) 272-6767. The Examiner can normally be reached on Monday-Thursday, 8:00am – 5:30pm, and from 8:30am – 5:00pm on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached at (571) 272-6776.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

19. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**Or faxed to:**

(571) 273-8300 [Official communications]

Art Unit: 3626

(571) 273-8300 [After Final communications labeled "Box AF"]

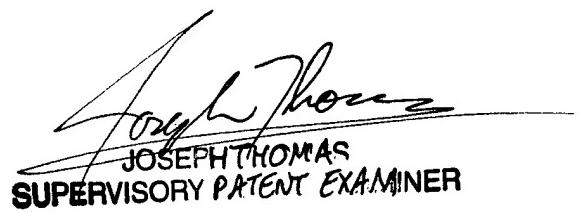
(571) 273-6767 [Informal/ Draft communications, labeled  
"PROPOSED" or "DRAFT"]

Hand-delivered responses should be brought to the Knox Building, Alexandria, VA.

CB

CB

January 26, 2006



JOSEPH THOMAS  
SUPERVISORY PATENT EXAMINER